

LSG-2009R01303

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

: Hon.

v.

: Criminal No. *10-608 (AET)*

ROBERT LAVECCHIA

: 18 U.S.C. § 1344 & § 2

I N F O R M A T I O N

The defendant, **Robert LaVecchia**, having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges as follows:

At all times relevant to this Information:

1. Defendant **Robert LaVecchia**, a resident of Nutley, New Jersey, owned and operated numerous Automated Teller Machines ("ATMs") in various locations throughout New Jersey, under the name of 363 Corp., Inc., an entity which he controlled.

2. Home Bank ("the Bank") was a financial institution, as that term is defined in Title 18, U.S.C., § 20. Pursuant to an agreement with defendant **Robert LaVecchia**, Home Bank provided the cash to fund the ATMs in return for a fee for use of the funds.

3. The operation and funding of the defendant's ATM business was as follows:

- a) Patriot Courier Services, Inc., ("Patriot") stocked the ATMs of 363 Corp., Inc. by delivering the Bank's currency directly to the ATMs;

- b) every time it replenished cash, Patriot balanced the ATMs by an actual count of the cash in each machine and sent all transaction records to defendant **Robert LaVecchia**;
- c) when customers withdrew funds from an ATM, their bank charged their account for the amount of the withdrawal along with a transaction fee, credited the withdrawn amount to Home Bank and forwarded the transaction fee to defendant's account.

4. Beginning in and around April 2002 and continuing through in and around September 2008, in the District of New Jersey and elsewhere, defendant

Robert LaVecchia

knowingly and intentionally executed and attempted to execute a scheme and artifice to defraud a financial institution and to obtain moneys owned by and under the custody and control of that financial institution by means of false and fraudulent pretenses, representation and promises, in that defendant removed and stole cash from the ATMs that were funded by Home Bank and then created and submitted false reports and other documents to conceal his thefts.

Object of the Scheme

5. It was the object of the scheme for defendant **Robert LaVecchia** to enrich himself by using the Bank's funds for his own purposes.

Means & Methods of the Scheme

6. It was part of the scheme that defendant would unlawfully access cash stored in the ATMs by hiring a lock-smith to break the internal security code and by otherwise tampering with this code.

7. It was a further part of the scheme that defendant would create and submit various false documents to Patriot explaining and/or accounting for the missing funds to avoid detection.

8. It was a further part of the scheme that defendant would unlawfully remove, obtain and retain approximately \$872,000 of the Bank's funds.

In violation of Title 18, United States Code, Section 1344 and Section 2.

A handwritten signature in cursive script, reading "Paul J. Fishman", written in dark ink. The signature is fluid and extends to the right.

PAUL J. FISHMAN
United States Attorney

CASE NUMBER: _____

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INFORMATION FOR

18 U.S.C. §§ 1344 & 2

PAUL J. FISHMAN
U.S. ATTORNEY
NEWARK, NEW JERSEY

LORRAINE S. GERSON
ASSISTANT U.S. ATTORNEY
NEWARK, NEW JERSEY
(973) 645-2789